



CITY OF PHILADELPHIA

LAW DEPARTMENT
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July 6, 2020

VIA ELECTRONIC MAIL

Runa Sandvik
94136-78189365@requests.muckrock.com

Re: Sandvik #8304

Dear Runa Sandvik:

Thank you for writing to the City of Philadelphia (“the City”) with your request. At the outset, please be advised that requests for records to state and local agencies in Pennsylvania are generally governed by the Pennsylvania Right to Know Law, 65 P.S. § 67.101, *et seq.* (the “Act”).

On April 30, 2020 the City received your requests for the following:

Item 1: Philadelphia Police Department records detailing the arrest and detention of journalist Jeff Neiburg of The News Journal on June 1 2020.

This constitutes the City’s response to your request.

After a review of its files, the City has determined that it does not have records responsive to your request. “It is not a denial of access when an agency does not possess records and [there is no] legal obligation to obtain them” *Jenkins vs. Pennsylvania Department of State*, Docket No. AP 2009-0065 (OOR April 2, 2009). [*Or*: “It is not a denial of access under the Act if the records requested do not exist. *Cf. Jenkins vs. Pennsylvania Department of State*, Docket No. AP 2009-0065 (OOR April 2, 2009).” *If Applicable*: Moreover, the City is not required to “create a record which does not current exist or to compile, maintain, format or organize a record in a manner in which [the City] does not currently compile, maintain, format or organize the record.” 65 P.S. § 67.705.] The City reserves its rights to assert bases for denial if additional responsive records are located after a review of such records, including but not limited to records and or information:

Should you wish to contest this determination you may file an appeal with the Office of Open Records as provided for in 65 P.S. § 67.1101. You have 15 business days from the mailing date of the City’s response to challenge the response. Please direct any appeal to the Office of Open Records, Commonwealth Keystone Building, 400 North Street, 4th Floor, Harrisburg, PA 17120-0225 and copy the City’s open records officer.

Please be advised that this correspondence will serve to close this record with our office as permitted by law.

Respectfully,

A handwritten signature in black ink that reads "Nora Day". The signature is written in a cursive style with a large, stylized "N" and "D".

Nora Day
Legal Assistant

Cc: Douglas Morrison